THE HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.20827 OF 2005

ORDER:

Seeking to declare the proceedings dated 16.8.2004 in Rc.No.231/2003/B-II issued under Section 60(1) of the A.P.Cooperative Societies Act,1964, as arbitrary and illegal, this writ petition is filed.

Learned counsel for the petitioner contended that without giving any opportunity to cross examine the witnesses and without considering the objections, the impugned proceedings are issued and therefore, the same is liable to be set aside.

On the other hand, the learned Government Pleader stated that it is an appealable order under Section 76 of the Act, therefore, the petitioner can avail the alternative remedy.

Alternative remedy is not a bar for exercising jurisdiction of this Court under Article 226 of the Constitution. This Court can exercise its jurisdiction where principles of natural justice are violated, where the statutory rights of the petitioner are infringed or violated or the authority, who passed the impugned order, lacks jurisdiction.

None of the above conditions attract in this case. Therefore, the writ petition is disposed of directing the petitioner to avail the alternative remedy available to him under law.

The writ petition is accordingly disposed of.

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30.9.2005

mdaa.